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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,991	02/24/2000	Elise Taylor	1659.0930000	5220

7590 06/05/2002
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EXAMINER

LA, ANH V

ART UNIT PAPER NUMBER

2632

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/511,991

Applicant(s)
Taylor et al

Examiner
Anh La

Art Unit
2632



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 26, 2002
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2632

DETAILED ACTION

1. Claim 19 is objected to because in claim 19, line 3, the phrase "an impulse" should be changed to --an ultra wideband impulse--.
2. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The amended claims and the claims on pages 2-6 of the amendment are different with the original claims. For examples, the original claims used the phrase "an entrant" or "the entrant", but the newly amended claims and the claims on pages 2-6 of the amendment recite the phrase "an object or person", "said object", or "said person". It appears that the claims recite the phrase "an entrant" or "the entrant". Corrections are required. Because on page 9 of the amendment, applicant states that claims 1, 6, 19-25 have been amended to include the clarifying language of "ultra wideband" to claim the impulse radio transmitters and receivers, "impulse radio transmitters" are now "ultra wideband impulse radio transmitters", "impulse radio receivers" are now "ultra wideband impulse radio receivers". It appears that "impulse radio" has been changed to --ultra wideband impulse radio-- in all of the original claims.

Art Unit: 2632

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 6, 10, 15, 19-22, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandrell in view of Fullerton.

Regarding claim 1, Jandrell discloses a method of correlating information related to an entrant within a predetermined area comprising the steps of obtaining information relating to the entrant in the area (column 57, lines 55-67, col. 58, lines 1-33, col. 26, lines 45-61, col. 11, lines 63-67, col. 6, lines 18-33, col. 34, lines 1-6), determining at least one position of the entrant within the predetermined area using impulse radio techniques (see figure 38), and correlating information about the entrant to the at least one position of the entrant (col. 57, lines 55-67, col. 58, lines 1-33). Jandrell does not disclose the impulse radio techniques being ultra wideband impulse radio techniques. Fullerton teaches the use of ultra wideband impulse radio techniques (abstract, column 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include ultra wideband impulse radio techniques to the method of Jandrell as taught by Fullerton for the purpose of effectively providing personal information of the entrant.

Art Unit: 2632

Regarding claim 2, Jandrell discloses the step of reporting the correlated information according to desired parameters (col. 57, lines 55-67, col. 58, lines 1-33).

Regarding claim 6, Jandrell as modified by Fullerton clearly discloses an ultra wideband impulse radio TAG (fig. 38).

Regarding claim 10, Jandrell discloses a physical description of the entrant (col. 58, lines 30-34).

Regarding claim 15, Jandrell discloses a prison (col. 58, lines 1-5).

Regarding claim 19, Jandrell discloses a system of controlling functions in response to position information determined by impulse radio techniques comprising an impulse radio positioning device (the coded pulse proximity transmitter, figure 38), and an interface (the monitoring terminal) with a controller (the control center), the controller acting upon a function based upon predetermined position parameters (col. 57, lines 55-67, col. 8, lines 1-35). Jandrell does not disclose the impulse radio positioning device being ultra wideband impulse radio positioning device. Fullerton teaches the use of ultra wideband impulse radio techniques (abstract, column 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include ultra wideband impulse radio positioning device to the method of Jandrell as taught by Fullerton for the purpose of effectively providing personal information of the entrant.

Regarding claim 20, Jandrell discloses an alarm (col 58, lines 28-30).

Regarding claim 21, Jandrell discloses a communicating device (col. 58, lines 1-52).

Art Unit: 2632

Regarding claim 22, Jandrell as modified by Fullerton discloses an ultra wideband impulse radio communicating information specific to the position wherein the entrant is located (fig. 38).

Regarding claim 24, Jandrell discloses an alerting means to alert an entrant of an unsafe position (col. 58, lines 1-35).

Regarding claim 25, Jandrell discloses the controller being a microprocessor (3202, col. 58, lines 35-42).

5. Claim 3-5, 7-9, 11, 13, 14, 16-18, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandrell in view of Fullerton as applied to claim 1 above, and further in view of Snaper.

Regarding claim 3, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a manual input of personal information into a computer in response to questions from an attendant at an entrance to the area. Snaper teaches the use of a manual input of personal information into a computer in response to questions from an attendant at an entrance to an area (col. 2, lines 21-30). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a manual input of personal information into a computer in response to questions from an attendant at an entrance to the area to the method of Jandrell (modified by Fullerton) as taught by Snaper for the purpose of providing personal information of the entrant.

Art Unit: 2632

Regarding claim 4, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the step of requiring the entrant to input the information via the Internet. Snaper teaches the use of requiring an entrant to input the information via a computer system (col. 2, lines 21-30, col. 4, 40-50). It is well-known that the computer system is clearly connected to an Internet. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the step of requiring the entrant to input the information via the Internet to the method of Jandrell (as modified by Fullerton) as taught by Snaper for the purpose of providing personal information of the entrant.

Regarding claim 5, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the step of requiring the entrant to input the information via a computing device. Snaper teaches the use of requiring an entrant to input the information via a computer system (col. 2, lines 21-30, col. 4, 40-50). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the step of requiring the entrant to input the information via a computing device to the method of Jandrell (as modified by Fullerton) as taught by Snaper for the purpose of providing personal information of the entrant.

Regarding claims 7-9, 11, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the information comprising gender of the entrant (claim 7), age of the entrant (claim 8), native language of the

Art Unit: 2632

entrant (claim 9), and if entrant is a child, comprising an indication of whether the child is accompanied by a parent or guardian (claim 11). Snaper teaches the use of a plurality information including names, ID number, classification, hair color, sex, race, facial features, and access code (col. 4, lines 40-50). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the information comprising gender of the entrant and age of the entrant to the method of Jandrell (as modified by Fullerton) as taught by Snaper for the purpose of providing personal information of the entrant. Regarding the native language of the entrant, and if entrant is a child, an indication of whether the child is accompanied by a parent or guardian being provided, it would have been obvious to have the information including the native language of the entrant, and if entrant is a child, an indication of whether the child is accompanied by a parent or guardian being provided since Snaper teaches the use of a plurality information being provided.

Regarding claims 13-14, 16-18, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the area being a shopping mall, an office building, a convention center, a zoo, or a museum. Snaper discloses a predetermined area being a securing area (col. 1, lines 5-15). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the area being a securing area to the method of Jandrell (as modified by Fullerton) as taught by Snaper for the purpose of providing monitoring the entrant in a secured area. Regarding a shopping mall, an office building, a convention center, a zoo, or a museum, it would have been

Art Unit: 2632

obvious to have the area being a shopping mall, an office building, a convention center, a zoo, or a museum as desired because a shopping mall, an office building, a convention center, a zoo, or a museum are securing areas.

Regarding claim 23, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose a visual alarm. Snaper teaches the use of a visual alarm (col. 6, lines 14-19). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a visual alarm to the system of Jandrell (as modified by Fullerton) as taught by Snaper for the purpose of illuminating an area wherein an entrant is located.

6. Claim 12 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandrell in view of Fullerton as applied to claim 1 above, and further in view of Lepkofker.

Regarding claim 12, Jandrell as modified by Fullerton discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the area being a theme park. Lepkofker teaches the use of an area being a theme park (col. 1, lines 25-40, figure 26). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the area being a theme park to the method of Jandrell (as modified by Fullerton) as taught by Lepkofker for the purpose of monitoring the entrant in a theme park.

Art Unit: 2632

Answers to Remarks

7. Applicant's arguments filed on March 26, 2002 have been fully considered.

Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner La whose telephone number is (703) 305-3967. The examiner can normally be reached on Monday--Friday from 7:30 AM to 5:00 PM.

Art Unit: 2632

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached at (703)-305-4717. The fax phone number for this Group is (703) 872-9314.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Anh V. La
June 01, 2002